

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC 371 AND 37 CFR 1.491

216406

U.S. APPLICATION NO.

10/089,496

INTERNATIONAL APPLICATION NO. PCT/US01/23880	INTERNATIONAL FILING DATE 30 July 2001	PRIORITY DATE CLAIMED 28 July 2000
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TITLE OF INVENTION

ROOT RETARDANT

APPLICANT(S) FOR DO/EO/US

JOHAL, Sarjit and ANTRIM, Richard L.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 USC 371 and 37 CFR 1.491.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371 and 37 CFR 1.491.
3. This is an express request to begin national examination procedures (35 USC 371(f)).
4. The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. A copy of the International Application as filed (35 USC 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 USC 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 USC 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).
11. Nucleotide and/or Amino Acid Sequence Submission
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper Copy
 - c. Statement verifying identity of above copies

Items 12 to 19 below concern other document(s) or information included:

12. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 - Form PTO-1449
 - Copies of Listed Documents
13. An assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. A **FIRST** preliminary amendment.
 - A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. Application Data Sheet Under 37 CFR 1.76
18. Return Receipt Postcard
19. Other items or information:

U.S. APPLICATION NO. 10/089,496	INTERNATIONAL APPLICATION NO. PCT/US01/23880	ATTORNEY DOCKET NO. 216406		
20. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$ 890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO, but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 740.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$ 710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1) to (4) \$ 100.00		CALCULATIONS		
		PTO USE ONLY		
ENTER APPROPRIATE BASIC FEE AMOUNT=		\$890.00		
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date		\$130.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	24	-20=	4	x \$ 18.00 \$72.00
Independent Claims	12	- 3 =	9	x \$ 84.00 \$756.00
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+\$280.00	\$0.00
TOTAL OF ABOVE CALCULATIONS=		\$1,848.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$0.00		
SUBTOTAL=		\$1,848.00		
Processing fee of \$130.00 for furnishing English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date.		\$0.00		
TOTAL NATIONAL FEE=		\$1,848.00		
Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property		+ \$40.00		
FEE ALREADY PAID=		\$(1,142.00)		
12-1216 00000092 10089496		TOTAL FEE ENCLOSED=	\$746.00	
504.00 OP 130.00 OP 72.00 OP		Amount to be: refunded \$ charged: \$		
a. <input checked="" type="checkbox"/> A check in the amount of \$746.00 to cover the above fee is enclosed. b. <input type="checkbox"/> Please charge Deposit Account No. 12-1216 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is enclosed.				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: Customer Number: 23460				
		<u>Allen E. Hoover</u> Allen E. Hoover, Registration No. 37,354 One of the Attorneys for Applicant(s)		
23460 PATENT TRADEMARK OFFICE		Date: May 2, 2002		

U.S. APPLICATION NO. 10/089,496	INTERNATIONAL APPLICATION NO. PCT/US01/23880	ATTORNEY DOCKET NO. 216406
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CERTIFICATION UNDER 37 CFR 1.10

“Express Mail” Label Number: EL841132820US

Date of Deposit: May 2, 2002

I hereby certify that this express request to begin national examination procedures under 35 USC 371(f) of the International Patent Application referenced above, including all of the items listed thereon as enclosures, is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” Service under 37 CFR 1.10 on the date indicated above and is addressed to Box PCT, Commissioner for Patents, Attention: DO/EO/US, Washington, D.C. 20231.

Rick O. Madsen

Printed Name of Person Signing:

Rick O. Madsen

Signature